

# THE NATIONAL ARCHIVES

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Washington, Friday, June 23, 1939

**The President**

**EXECUTIVE ORDER**

**PARTIAL REVOCATION OF EXECUTIVE ORDER OF MARCH 21, 1914**

**PUBLIC WATER RESTORATION NO. 83**

**Wyoming**

By virtue of and pursuant to the authority vested in me by section 1 of the act of June 25, 1910, c. 421, 36 stat. 847, the Executive Order of March 21, 1914, creating Public Water Reserve No. 18, is hereby revoked insofar as it pertains to or affects the following-described land in Wyoming:

**WYOMING**

*Sixth Principal Meridian*

T. 45 N., R. 64 W., sec. 28, S $\frac{1}{2}$ SE $\frac{1}{4}$ .

**FRANKLIN D ROOSEVELT**

**THE WHITE HOUSE**

June 21, 1939.

[No. 8175]

[F. R. Doc. 39-2171; Filed, June 22, 1939; 9:58 a. m.]

**EXECUTIVE ORDER**

**REGULATIONS GOVERNING THE GRADES AND RATINGS OF ENLISTED MEN OF THE REGULAR ARMY FOR THE FISCAL YEAR 1940**

By virtue of and pursuant to the authority vested in me by the act of June 20, 1936, 49 Stat. 1554, it is ordered that during the fiscal year 1940 the grades and ratings of the enlisted men of the Regular Army shall be as set forth herein, and that the number of enlisted men in the several grades and ratings shall not exceed the number specified herein.

1. The several grades and the maximum number of enlisted men therein shall be as follows:

	Number
1st Grade—Master Sergeants.....	1,237
2nd Grade—1st Sergeants and Technical Sergeants.....	3,249
3rd Grade—Staff Sergeants.....	5,062
4th Grade—Sergeants.....	15,860
5th Grade—Corporals.....	14,554

	Number
6th Grade—Privates, 1st Class.....	44,093
7th Grade—Privates, the number of whom will be such that when added to the number of enlisted men above Grade Seven and to the authorized number of flying cadets the total will not exceed the enlisted pay strength of the Army appropriated for by the "Military Appropriation Act, 1940", approved April 26, 1939.	
2. Specialists ratings and the maximum number of enlisted men therein shall be as follows:	
	Number
1st Class.....	928
2nd Class.....	1,576
3rd Class.....	2,743
4th Class.....	7,236
5th Class.....	7,410
6th Class.....	19,702

**FRANKLIN D ROOSEVELT**

**THE WHITE HOUSE,**

June 21, 1939.

[No. 8176]

[F. R. Doc. 39-2172; Filed, June 22, 1939; 9:58 a. m.]

**EXECUTIVE ORDER**

**AMENDING THE FOREIGN SERVICE REGULATIONS OF THE UNITED STATES**

By virtue of and pursuant to the authority vested in me by section 1752 of the Revised Statutes of the United States (U.S.C., title 22, sec. 132), and by section 26 of the act of February 23, 1931, 46 Stat. 1207, 1211, as amended by section 3 of the act of April 24, 1939, Public, No. 40, 76th Congress, 1st Session, it is ordered that the Foreign Service Regulations of the United States be, and they are hereby, amended by prescribing the following provisions as section III-19 of Part I and section II-31 of Part II of the Foreign Service Regulations:

**RETIREMENT OF FOREIGN SERVICE OFFICERS**

(a) *Beneficiaries of retirement.* All Foreign Service officers, all ambassadors and ministers who have been promoted from the classified Foreign Service, all Foreign Service officers and ambassadors and ministers promoted from the

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classified Foreign Service who have been appointed to positions in the Department of State, and all officers now included under the act of May 24, 1924, 43 Stat. 140, as amended by the act of July 3, 1926, 44 Stat. 902, shall be entitled to the benefits of the Foreign Service Retirement and Disability System established by section 26 of the said act of February 23, 1931, as amended by the said act of April 24, 1939, subject to such rules and regulations for the administration thereof as may be prescribed by the Secretary of State.

(b) *Additional voluntary deposits.* Any Foreign Service officer may at his option deposit in the Foreign Service Retirement and Disability Fund additional sums in multiples of 1 per centum of his basic salary, but not to exceed 10 per centum of such basic salary in accordance with the provisions of section 26 (c) of the said act of February 23, 1931, as amended by section 3 of the said act of

April 24, 1939, subject to such administrative rules and regulations as may be prescribed by the Secretary of State.

#### CANCELATION OF PORTIONS OF REGULATIONS

The following sections of the Foreign Service Regulations of the United States are hereby canceled:

##### Part I

Sections III-19 to III-33, inclusive.

##### Part II

Chapter II.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

June 21, 1939.

[No. 8177]

[F. R. Doc. 39-2173; Filed, June 22, 1939; 9:58 a. m.]

#### EXECUTIVE ORDER

PARTIAL REVOCATION OF EXECUTIVE ORDER OF AUGUST 2, 1875, WITHDRAWING PUBLIC LAND

##### FLORIDA

By virtue of and pursuant to the authority vested in me as President of the United States, the Executive order of August 2, 1875, reserving lands for life-saving purposes, is hereby revoked as to the following-described land:

##### FLORIDA

Tallahassee Meridian

T. 32 S., R. 40 E., sec. 20, E½ of lot 1, containing ten acres.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

June 21, 1939.

[No. 8178]

[F. R. Doc. 39-2174; Filed, June 22, 1939; 9:58 a. m.]

#### EXECUTIVE ORDER

AMENDING CERTAIN PROVISIONS OF THE CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me by the Constitution, by Section 1753 of the Revised Statutes (U.S.C., title 5, sec. 631), by the Civil Service Act of January 16, 1883 (22 Stat. 403), and as President of the United States, the Civil Service Rules<sup>1</sup> are hereby amended as follows:

1. Section 2 of Civil Service Rule IX is amended to read:

"2. *Probationer.* A person separated from the service during or at the end of his probationary period may be reinstated, subject to the other provisions of the civil service rules, under the following conditions:

(a) If involuntarily separated without fault on his part he may be reinstated to serve a new probation in any part of the service in any position for which he is

qualified or can qualify in an appropriate noncompetitive examination; but reinstatement in the same position in or under the same department or agency will be to complete probation.

(b) If separated by reason of voluntary resignation he may be reinstated only in the same office, in a position for which originally eligible, to complete probation."

2. Subsection (a) of section 6 of Rule X is amended to read:

"(a) *Absolute appointment.* Such person must have received absolute appointment."

3. Subsections (a) and (b) of section 1 of Rule XI are amended to read:

"(a) No employee during probation shall be eligible for promotion except upon approval of the Commission previously obtained.

"(b) The service ratings of the employee in the position from which he seeks promotion, when declared by the Commission to be in line of promotion, shall be given due weight in any such examination."

This order is recommended by the Civil Service Commission.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

June 21, 1939.

[No. 8179]

[F. R. Doc. 39-2175; Filed, June 22, 1939; 9:59 a. m.]

#### Rules, Regulations, Orders

##### TITLE 46—SHIPPING

##### UNITED STATES MARITIME COMMISSION

[General Order No. 15—Supplement No. 11a]

MINIMUM MANNING SCALES FOR THE S. S. "ARGENTINA," S. S. "BRAZIL" AND S. S. "URUGUAY," SUBSIDIZED VESSELS OF THE MOOREMACK SOUTH AMERICAN LINE, INC.

At a regular session of the United States Maritime Commission held at its offices in Washington, D. C., on the 13th day of June 1939.

The Commission having adopted, pursuant to Section 301 (a) of the Merchant Marine Act, 1936, as amended, General Order No. 15<sup>1</sup> providing for minimum wage scales, minimum manning scales, and reasonable working conditions for all subsidized vessels, and now desiring to complete the minimum manning scales for the S. S. *Argentina*, S. S. *Brazil*, and S. S. *Uruguay*, subsidized vessels of the Mooremack South American Line, Inc. (referred to herein as Operator); and

The Commission finding that the minimum scales hereinafter adopted for the

<sup>1</sup> 3 F.R. 1519 DL.

<sup>2</sup> 2 F.R. 2257.



above named subsidized vessels of the Operator are reasonable, proper and lawful, such finding being based upon investigations referred to in General Order No. 15 and other investigations deemed pertinent by the Commission and made thereafter; it is, therefore

Ordered, That the minimum manning scales attached hereto for the S. S. Argentina, S. S. Brazil, and S. S. Uruguay, subsidized vessels of the Operator, be and the same hereby are adopted; *Provided*, That under extraordinary circumstances such as casualty or desertion, where it is impossible to procure sufficient officers or unlicensed seamen of any required grade or rating to permit the sailing of any of said vessels without undue delay, the said scales shall be inoperative to the extent required by such emergency, and the Operator shall forthwith report to the Commission any departure from said scales, stating in such report the extent of the departure and showing to the satisfaction of the Commission that sufficient reasons for such departure existed; and it is further

Ordered, That the minimum manning scales hereby adopted shall not relieve said Operator from complying with the manning requirements of the Bureau of Marine Inspection and Navigation and shall be without prejudice to the carrying of seamen in addition to those required hereby; and it is further.

Ordered, That the minimum manning scales hereby adopted shall become effective for each of said vessels upon the first signing after July 8, 1939, of shipping articles for a subsidized voyage of said vessel, unless otherwise specified in the scales, and that the operator be immediately served by registered mail with a copy of this Order and of the minimum manning scales hereby adopted.

By order of the United States Maritime Commission.

[SEAL]

W. C. PEET, Jr.,  
Secretary.

*Minimum Manning Scale to be Observed on the Vessels Argentina, Brazil and Uruguay of the Mooremack South American Line, Inc.*

Rating:	Minimum
Deck department:	
Master	1
Chief Mate	1
First Mate	1
Second Mate	1
Third Mate	1
Cadet Officers or Cadets	3
Radio Operators	3
Carpenter	1
Boatswain	1
Quartermasters	3
Fire Watchmen	4
Able Seamen	14
Ordinary Seamen	7
Engine department:	
Chief Engineer	1
1st Asst. Engineer	1
2nd Asst. Engineer	1
3rd Asst. Engineer	1
Licensed Junior Engineers	3
Engineer Cadet Officers or Cadets	3
Plumber	1
Refrigerating Engineers	3

See footnotes at end of table.

Rating—Continued	Minimum
Engine department—Contd.	
Electricians	3
Oilers	12
Firemen	12
Wipers	3
Steward's department:	
Steward	1
Cook	1
Asst. Cook	1
Baker	1
Butcher	1
Utility Men	4
Messmen	6
Messboys	2

<sup>1</sup> It shall not constitute a violation of this Manning Scale to detail any Cadet Officer or Cadet required to be carried hereby, to shore training after notice to, and approval by, the Director of the Division of Maritime Personnel of this Commission, and in such case entry shall be made in the official logbook to this effect and no replacements of such Cadet Officers or Cadets shall be required. Such cadets also may be removed from vessel's complement at any time upon notice to the operator by the Director of the Division of Maritime Personnel and such action shall not constitute a violation of this Manning Scale.

<sup>2</sup> The Engineers and Wipers required by this Manning Scale are ratings covered by, and in no sense additions to, the respective ratings provided for by the Manning Scales set forth in General Order No. 15, issued October 21, 1937.

GENERAL NOTE: Requirements of this Manning Scale will be deemed satisfied in the event that an employee is carried whose rating in the same department is superior to the rating prescribed.

[F. R. Doc. 39-2164; Filed, June 21, 1939; 3:54 p. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### National Bituminous Coal Commission.

[Docket No. 745-FD]

BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT NO. 7, COMPLAINANT, VS. C. H. MEAD COAL COMPANY, DEFENDANT

#### NOTICE AND ORDER FOR HEARING

The Bituminous Coal Producers Board for District No. 7, the complainant above-named, having filed with the Commission complaint against the defendant above-named, code member within said District No. 7, alleging that the said defendant has wilfully violated the provisions of the Bituminous Coal Code by its failure to pay assessments levied against it by the said District Board in accordance with the Bituminous Coal Act of 1937 and Orders Nos. 10 and 265<sup>1</sup> of the Commission, and praying for the revocation of defendant's membership in the Bituminous Coal Code, all of which is more fully set forth in the written formal complaint filed in the above-entitled matter;

Now, therefore, It is hereby ordered:

1. That a hearing upon the said complaint, before an examiner to be designated by the Commission, shall be held

<sup>1</sup> 2 F.R. 1109; 4 F.R. 1012 DI.

in the Hearing Room of the Commission, Walker Building, Washington, D. C., on the 31st day of July, 1939, commencing at the hour of 10 o'clock a. m., at which interested parties will be given an opportunity to be heard.

2. The Secretary of the Commission is forthwith directed to cause personal service of a copy of this Notice and Order for Hearing to be made upon the defendant above-named; to mail copies of this Notice and Order for Hearing to the Secretary of each District Board and to the Consumers' Counsel, and to cause copy of the same to be published in the FEDERAL REGISTER.

By order of the Commission.

Dated this 20th day of June 1939.

[SEAL] F. WITCHER McCULLOUGH,  
Secretary.

[F. R. Doc. 39-2183; Filed, June 22, 1939; 12:47 p. m.]

[Docket No. 746-FD]

ORDER IN THE MATTER OF THE APPLICATION OF THE PLIBRICO JOINTLESS FIRE-BRICK COMPANY FOR EXEMPTION UNDER SECTION 4, II (1) OF THE BITUMINOUS COAL ACT OF 1937, FILED UNDER THE PROVISIONS CONTAINED IN THE SECOND PARAGRAPH OF SECTION 4-A OF THE ACT

At a regular session of the National Bituminous Coal Commission held in its offices in Washington, D. C., on the 20th day of June 1939.

The above named applicant having heretofore filed with the Commission its application for exemption from the provisions of Section 4 and the first paragraph of Section 4-A of the Bituminous Coal Act of 1937; and

It appearing, After considering the allegations made in the verified application of the Plibrico Jointless Firebrick Company, that applicant is the owner and producer of bituminous coal from a certain mine located in Washington Township, Lawrence County, Ohio, and that all of the bituminous coal produced at such mine is consumed by the applicant in its firebrick manufacturing plant located in Washington Township, Lawrence County, Ohio,

Now, therefore, It is hereby ordered:

That the provisions of Section 4, II (1) of the Bituminous Coal Act of 1937 do apply to the bituminous coal produced by the Plibrico Jointless Firebrick Company at its mines located in Washington Township, Lawrence County, Ohio, which is consumed by this company in its firebrick manufacturing plant in Washington Township, Lawrence County, Ohio, and such coal shall not be deemed subject to the provisions of Section 4 of the Bituminous Coal Act of 1937.

Within fifteen (15) days from the date of this Order all interested parties are afforded the opportunity of filing a protest to this determination requesting a hearing on the application and protest. If no such protest be filed, this Order



shall become effective fifteen (15) days from this date.

Applicant shall apply annually hereafter, and at such other times as the Commission may require, for renewal of this Order, and applicant shall file such accompanying reports as will enable the Commission to determine whether the facts as found to exist in this Order continue to exist.

The Secretary of the Commission is directed forthwith to mail a copy of this Order to the applicant, to the Consumers' Counsel, and to the Secretary of each District Board; and shall cause a copy hereof to be filed and made available for inspection at each of the Statistical Bureaus of the Commission; and shall cause a copy hereof to be published in the FEDERAL REGISTER.

By order of the Commission.

Dated this 20th day of June, 1939.

[SEAL] F. WITCHER McCULLOUGH,  
Secretary.

[F. R. Doc. 39-2184; Filed, June 22, 1939;  
12:47 p. m.]

## DEPARTMENT OF LABOR.

### Wage and Hour Division.

[Administrative Order No. 27]

#### ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 6 FOR THE SHOE MANUFACTURING AND ALLIED INDUSTRIES

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, Elmer F. Andrews, Administrator of the Wage and Hour Division, Department of Labor.

Do hereby accept the resignation of Mr. James F. Malley from Industry Committee No. 6 for the Shoe Manufacturing and Allied Industries and do appoint in his stead as representative for the employers on such committee, Mr. John E. Lucey, of Middleboro, Massachusetts.

Signed at Washington, D. C., this 19th day of June 1939.

ELMER F. ANDREWS,  
Administrator.

[F. R. Doc. 39-2182; Filed, June 22, 1939;  
11:31 a. m.]

## FEDERAL POWER COMMISSION.

[Docket Nos. ID-635, 794, 317, 723, 229, 392, 789, 798, 104, 801, 890]

IN THE MATTER OF CHARLES H. TENNEY, ISAAC S. HALL, FRANK S. CLIFFORD, FREMONT L. LOVETT, CLARENCE N. ALEXANDER, HAZEL H. BERRY, RALPH E. TROWER, D. WILLARD LEAVITT, BERNON E. HELME, KENNETH H. GOSS, AND ALBERT B. TENNEY

### ORDER FIXING DATE OF HEARING

JUNE 20, 1939.

Commissioners: Clyde L. Seavey, Acting Chairman; Claude L. Draper, Basil Manly, John W. Scott.

It appearing to the Commission that:

(a) Upon applications separately filed by the above-named applicants pursuant to Section 305 (b) of the Federal Power Act for authorization to hold certain interlocking positions within the purview of said Section 305 (b), the Commission has heretofore authorized said applicants severally to hold said positions (with the exception of Applicant Albert B. Tenney, ID-890, whose application was filed June 9, 1939, and for whom no authorization has as yet been granted) and that the orders of authorization heretofore made reserve to the Commission the right to require the applicants to make further showing that neither public nor private interests will be adversely affected by reason of the applicants' holding said positions;

(b) It is in the public interest that each of the above-named applicants make further showing at this time that neither public nor private interests will be adversely affected by reason of his holding said positions;

(c) Such further showing can best be made in the form and manner of a public hearing held for that purpose;

The Commission orders that:

A public hearing on said applications be held beginning the 6th day of September, 1939, at 10:00 a. m. in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C., and that at said hearing each of the above-named applicants make further showing that neither public nor private interests will be adversely affected by reason of his holding positions within the purview of Section 305 (b) of the Federal Power Act.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 39-2170; Filed, June 22, 1939;  
9:35 a. m.]

[Docket No. IT-5556]

#### IN THE MATTER OF SOUTHERN PUBLIC SERVICE COMPANY

### NOTICE OF APPLICATION

JUNE 21, 1939.

Notice is hereby given that on June 19, 1939, an application was filed with the Federal Power Commission, pursuant to Section 203 of the Federal Power Act, by Southern Public Service Company, a corporation organized under the laws of the State of Kentucky and doing business in said State, with its principal office in Ashland, Kentucky, seeking an order authorizing the sale to Kentucky and West Virginia Power Company, Inc., a corporation organized under the laws of the State of Kentucky, of all of its electric properties, as follows:

*Louisa, Kentucky.* A 2,300 volt single and three phase electrical distribution

system in and adjacent to the city of Louisa, Lawrence County, Kentucky;

*Fallsburg, Kentucky.* Seven and one-half miles of 2,300 volt, single phase transmission line extending from Louisa to Fallsburg, Kentucky, together with the 2,300 volt single phase distribution system in the village of Fallsburg, Kentucky;

*West Liberty, Kentucky.* A 2,300 volt, single and three phase electric distribution system in and adjacent to the city of West Liberty, Morgan County, Kentucky, together with a 150 kw internal combustion engine and generating plant used for the generation of electric energy at that point;

For the sum of \$70,000.00 in cash, which purchase price was arrived at through negotiations with the purchaser; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 6th day of July, 1939, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 39-2168; Filed, June 22, 1939;  
9:34 a. m.]

[Docket No. IT-5557]

#### IN THE MATTER OF SOUTHERN UTILITIES COMPANY

### NOTICE OF APPLICATION

JUNE 21, 1939.

Notice is hereby given that on June 19, 1939, an application was filed with the Federal Power Commission, pursuant to Section 203 of the Federal Power Act, by Southern Utilities Company, a corporation organized under the laws of the State of West Virginia and doing business in said State, with its principal office at Ashland, Kentucky, seeking an order authorizing the sale to the Appalachian Electric Power Company, a corporation organized under the laws of the State of Virginia, of all of its electric properties, as follows:

*Hamlin, West Virginia.* A 2,300 volt, 3 phase electrical distribution system in and adjacent to the town of Hamlin, West Virginia;

*Yawkey, West Virginia.* A 6,900, 4 wire, Y, electric distribution system in and adjacent to the town of Yawkey, West Virginia;

*Griffithsville, West Virginia.* A 6,900 volt, 4 wire, Y, electric distribution system in and adjacent to the town of Griffithsville, West Virginia;

*West Hamlin, West Virginia.* A 11,000 volt, Delta distribution system in and adjacent to the town of West Hamlin, West Virginia;

*Hurricane, West Virginia.* A 2,300 volt, 3 phase electric distribution system



in and adjacent to the town of Hurricane, West Virginia;

*Culloden, West Virginia.* A 2,300 volt, 3 phase electric distribution system in and adjacent to the town of Culloden, West Virginia;

*Fort Gay, West Virginia.* A 6,900 and 2,300 volt 3 phase electrical distribution system serving consumers in and adjacent to the town of Fort Gay, West Virginia;

Approximately 11.5 miles of 6,900 volt, 4 wire, Y, connecting transmission line from Yawkey to Hamlin, Griffithsville and West Hamlin;

Approximately 1.8 miles of 6,900 volt transmission line extending from Billups Gap, West Virginia to Fort Gay, West Virginia;

Together with all substations, transformers, poles, conductors, services, meters, franchises, easements, rights of way and other facilities used or useful in connection with the foregoing;

For the sum of \$80,000.00 in cash, which purchase price was arrived at through negotiations with the purchaser; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 6th day of July, 1939, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 39-2169; Filed, June 22, 1939;  
9:34 a. m.]

#### RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 362]

#### AMENDMENT OF PRIOR ALLOCATIONS OF FUNDS FOR LOANS

JUNE 21, 1939.

I hereby amend Administrative Order No. 344, dated May 11, 1939, by rescinding the allocation of \$20,000 therein made for Georgia R9035C2 Walton.

I hereby amend Administrative Order No. 357, dated June 19, 1939, by rescinding the allocation of \$292,000 therein made for Illinois R9040A1 Macoupin.

I hereby amend Administrative Order No. 359, dated June 19, 1939, by rescinding the allocation of \$167,000 therein made for Wisconsin R9032B1 Pierce.

I hereby amend Administrative Order No. 279, dated August 18, 1938, by rescinding the allocation of \$100,000 therein made for Arkansas R9014B1 Pope.

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 39-2165; Filed, June 22, 1939;  
9:34 a. m.]

[Administrative Order No. 363]

#### ALLOCATION OF FUNDS FOR LOANS

JUNE 21, 1939.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation	Amount
Minnesota R9070G1 Hennepin-----	\$500,000

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 39-2166; Filed, June 22, 1939;  
9:34 a. m.]

[Administrative Order No. 364]

#### ALLOCATION OF FUNDS FOR LOANS

JUNE 21, 1939.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation	Amount
Illinois 0040A1 Macoupin-----	\$292,000
Wisconsin 0032B1 Pierce-----	167,000

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 39-2167; Filed, June 22, 1939;  
9:34 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 19th day of June, A. D. 1939.

[File No. 31-442]

#### IN THE MATTER OF FEDERAL LIGHT & TRACTION COMPANY AND CITIES SERVICE POWER & LIGHT COMPANY

#### ORDER DECLARING COMPANY NOT TO BE A SUBSIDIARY COMPANY

Federal Light & Traction Company and Cities Service Power & Light Company having made application for an order pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 declaring Cowlitz Chehalis and Cascade Railway Company not to be a subsidiary of either of such applicants; a hearing on said application having been duly held; the record in this matter having been duly considered; and the Commission having made appropriate findings;

14 F.R. 2095 DI.

*It is ordered,* That Cowlitz Chehalis and Cascade Railway Company be, and it is hereby declared not to be a subsidiary of Federal Light & Traction Company and Cities Service Power & Light Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2179; Filed, June 22, 1939;  
11:25 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 19th day of June, A. D. 1939.

[File No. 31-443]

#### IN THE MATTER OF FEDERAL LIGHT & TRACTION COMPANY AND CITIES SERVICE POWER & LIGHT COMPANY

#### ORDER DECLARING COMPANY NOT TO BE A SUBSIDIARY COMPANY

Federal Light & Traction Company and Cities Service Power & Light Company having made application for an order pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 declaring Raymond Holding Company not to be a subsidiary of either of such applicants; a hearing on said application having been duly held; the record in this matter having been duly considered; and the Commission having made appropriate findings;

*It is ordered,* That Raymond Holding Company be, and it is hereby declared not to be a subsidiary of Federal Light & Traction Company and Cities Service Power & Light Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2181; Filed, June 22, 1939;  
11:25 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 19th day of June, A. D. 1939.

[File No. 31-450]

#### IN THE MATTER OF LEHIGH POWER SECURITIES CORPORATION

#### ORDER DECLARING COMPANY NOT TO BE A SUBSIDIARY COMPANY

Lehigh Power Securities Corporation having made application pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring Mauch Chunk Heat, Power, and Electric Light Company not

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to be a subsidiary company of Lehigh Power Securities Corporation, National Power & Light Company, or Electric Bond and Share Company; a hearing on said application having been duly held; the record in this matter having been duly considered; and the Commission having made appropriate findings;

*It is ordered,* That Mauch Chunk Heat, Power, and Electric Light Company be, and it is hereby, declared not to be a subsidiary of Lehigh Power Securities Corporation, National Power & Light Company or Electric Bond and Share Company.

*It is further ordered,* That within 30 days after December 31 of each year, Lehigh Power Securities Corporation, National Power & Light Company, and Electric Bond and Share Company shall report any increase in the per centum of voting securities of Mauch Chunk Heat, Power, and Electric Light Company held by such companies or any of such companies, and a statement of any contracts and agreements entered into between Lehigh Power Securities Corporation, National Power & Light Company and Electric Bond and Share Company or any of such companies, and Mauch Chunk Heat, Power and Electric Light Company, and of any loans or advances made by Lehigh Power Securities Corporation, National Power & Light Company and Electric Bond and Share Company or any of such companies to Mauch Chunk Heat, Power, and Electric Light Company during such year.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2180; Filed, June 22, 1939;  
11:25 a. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22d day of June, A. D. 1939.

[File No. 32-156]

IN THE MATTER OF WEST PENN POWER  
COMPANY

NOTICE OF AND ORDER FOR HEARING

Applications and a declaration pursuant to sections 6 (b), 7 and 12 (c) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

*It is ordered,* That a hearing on such matter be held on July 10, 1939, at ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown

why such declaration shall become effective.

*It is further ordered,* That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 5, 1939.

The matter concerned herewith is in regard to applications and a declaration filed, pursuant to Section 6 (b), 7 and 12 (c) and Rule U-12C-1 thereunder, by West Penn Power Company, a subsidiary company of American Water Works and Electric Company, Incorporated, regarding the issue and sale by the applicant and declarant of the following of its securities:

1. 297,077 shares of 4½% preferred stock (par value \$100 per share cumulative). The company proposes to offer, either itself or through underwriters, to the holders of its presently outstanding 6% cumulative preferred stock and 7% cumulative preferred stock the right to exchange each share of such outstanding stock held by them for one share of such 4½% preferred stock. In connection with this offer it is stated that appropriate cash adjustment will be made so as to pay to the holders of such presently outstanding stock an amount per share equal to the difference, if any, between the redemption price of such outstanding stock and the price at which the 4½% preferred stock is to be offered for sale to the public, together with accrued dividends to the date of redemption of such outstanding stock less any accrued dividends on the 4½% preferred stock to the date of such exchange. The applicant and declarant proposes to file a registration statement pursuant to the Securities Act of 1933. It is proposed that such exchange offer expire approximately three days after such registration statement shall have become effective. All shares of the 4½% preferred stock not so exchanged for shares of outstanding preferred stock of the company will be offered for sale to the public through underwriters at a price to be subsequently determined and to be supplied by amendment hereto.

It is further proposed to call for redemption on February 1, 1940 all of the shares of 6% cumulative preferred stock and 7% cumulative preferred stock of

the company not surrendered for such exchange at the redemption price of such stock—\$110 and \$115 per share respectively—together with accrued dividends. All shares of 6% cumulative preferred stock and 7% cumulative preferred stock surrendered on such exchange or deemed will be cancelled and retired.

It is proposed that each share of the new 4½% preferred stock, under normal conditions, shall have one vote on all matters including the election of directors. In the event that four quarterly dividends on the preferred stock are in default such vote shall continue with respect to all matters other than the election of directors, as to which the common stock, voting as one class, shall be entitled to elect the same number of directors as constituted the board prior to such default, while a majority of the shares of the preferred stock, voting as one class, shall be entitled to elect two additional directors.

It is stated that prior to the issuance of such new 4½% preferred stock, such issuance will be approved by the Pennsylvania Public Utility Commission, the State commission of the State in which the company is organized and does business.

It is further stated that the price for such stock to be received by the company, the underwriting commissions and the names of the underwriters will be supplied by amendment.

2. Ten-year promissory notes, to be due in equal annual installments during the ten years after date of issue. It is stated that the notes are to be issued to reimburse the treasury of the company for expenditures for improvements, additions and betterments to its plant and property which have not been permanently financed through the issuance of securities by the company. The maximum amount of the notes to be issued hereunder will be supplied by amendment hereto, it being stated that the precise amount thereof will depend upon the amount of the cash required, in addition to other available cash of the company, for the purpose of defraying premiums and expenses incident to the redemption and retirement of the company's presently outstanding 6% cumulative preferred stock and 7% cumulative preferred stock. It is stated that with respect to said ten-year promissory notes no public offering will be made and that the amount thereof and the rate of interest will be supplied by amendment hereto.

It is further stated that the issuance of such notes will be subject to the approval of the Pennsylvania Public Utility Commission.

It appears that all the common stock of West Penn Power Company, constituting 2,775,000 shares, is indirectly owned and held by American Water Works and Electric Company, Incorporated, through two intermediate subholding companies, The West Penn Electric Company and West Penn Railways



Company, and that this stock is the only stock presently entitled to vote.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2177; Filed, June 22, 1939;  
11:24 a. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of June, A. D. 1939.

[File No. 43-221]

IN THE MATTER OF THE KANSAS POWER  
COMPANY

NOTICE OF AND ORDER FOR HEARING

A declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on July 10, 1939, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 5th, 1939.

The matter concerned herewith is in regard to the proposed issue and sale by declarant, an indirect subsidiary of The Middle West Corporation, a registered holding company, of \$5,000,000 in principal amount of First Mortgage Bonds, Series A, 4%, to be dated July 1, 1939 and to mature July 1, 1964, and a maximum of \$600,000 in principal amount of —% unsecured notes. The bonds are to be sold publicly through an underwriting group of which Harris, Hall & Company (Incorporated) has been designated as the principal underwriter, and the unsecured notes are to be sold privately to certain banks. The net proceeds from such sales are proposed to be applied, together with other funds of the declarant to the extent required, to the redemption and retirement at 101 of \$5,424,000 in principal amount of First Mortgage Twenty-Year 5% Gold Bonds, Series A, due March 1, 1947. Names of the purchasing banks and the other underwriters, interest rate of the unsecured notes, and other terms and conditions of the issuances are to be furnished by amendment to the declaration.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2178; Filed, June 22, 1939;  
11:24 a. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of June, A. D. 1939.

[File No. 51-20]

IN THE MATTER OF INTERNATIONAL  
UTILITIES CORPORATION

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on July 6, 1939, at ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be

held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That James G. Ewell, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 1, 1939.

The matter concerned herewith is in regard to the following application:

International Utilities Corporation, a Maryland corporation and a registered holding company under the Public Utility Holding Company Act of 1935, has filed an application, pursuant to Rule U-12C-2, for approval of the declaration and payment of the following proposed dividends:

(a) \$3.50 prior preferred stock. A regular quarterly dividend payable August 1, 1939, to stockholders of record at the close of business July 20, 1939 at the rate of 87½ cents per share. The applicant states that there are issued and outstanding 98,969.95 shares of stock of this class and that the payment of this dividend will cost \$86,598.71.

(b) \$1.75 preferred stock. A payment of \$1.4375 per share on account of accumulated unpaid dividends, aggregating at May 31, 1939, \$9,3125 per share. The applicant states that there are outstanding, exclusive of shares in the Treasury of the Corporation, 66,652.56 shares and that the payment of this dividend will cost \$95,813.06.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2176; Filed, June 22, 1939;  
11:24 a. m.]



